



COUNTY OF SAN DIEGO
BOARD OF SUPERVISORS

OCT 28 AM 8:18

HOWARD J. PASTUSZKA
CLERK OF THE BOARD
OF SUPERVISORS

GREG COX

CHAIRMAN

San Diego County Board of Supervisors

DATE: October 28, 2003

TO: Supervisor Dianne Jacob, Vice Chairwoman
Supervisor Pam Slater
Supervisor Ron Roberts
Supervisor Bill Horn

FROM: Greg Cox, Chairman
First District Supervisor

OFF-AGENDA CONSIDERATION: (4/5 Vote)

Action to Ratify the County Proclamation of Local Emergency Caused by "San Diego Firestorm 2003"

In accordance with Government Code Section 54954.2 (b) and Board Policy A-72, your consent is requested for Off-Agenda consideration of the attached item. The facts supporting the need to take action at this time, which arose subsequent to the Agenda being posted, are as follows:

On October 26, 2003, the Director of Emergency Services issued a Proclamation of Local Emergency as a result of multiple wildfires in San Diego County, known as "San Diego Firestorm 2003." San Diego County Ordinance No. 8183 and State Law require that the Board of Supervisors ratify Proclamations of Local Emergency within seven days of being issued. The next regular meeting of the Board of Supervisors is not until November 4, 2003, which is more than seven days from October 26, 2003.

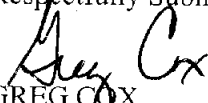
Therefore, there is a need for this matter to be considered as part of the October 28, 2003 agenda of the Board of Supervisors, rather than the following regular meeting of the Board on November 4, 2003, because this Proclamation of Local Emergency must be ratified prior to November 4, 2003.

Thank you for your consideration.

RECOMMENDATION FOR OFF-AGENDA CONSIDERATION:

Find this item conforms to provisions of the California Government Code Section 54954.2 (b), authorizing a legislative body to take action on an item not appearing on the posted agenda.

Respectfully Submitted,


GREG COX
Chairman

Attachment (Original plus 5 copies)



COUNTY OF SAN DIEGO

AGENDA ITEM

BOARD OF SUPERVISORS

GREG COX
First District

DIANNE JACOB
Second District

PAM SLATER
Third District

RON ROBERTS
Fourth District

BILL HORN
Fifth District

DATE: October 28, 2003

TO: Board of Supervisors

SUBJECT: Ratify Proclamation of Local Emergency (District: All)

SUMMARY:

Overview

On October 26, 2003, the Director of Emergency Services issued a Proclamation of Local Emergency as a result of multiple wildfires in San Diego County. San Diego County Ordinance No. 8183 and State Law require that the Board of Supervisors ratify Proclamations of Local Emergency within seven days of being issued.

Recommendation(s)

CHIEF ADMINISTRATIVE OFFICER

Ratify the Proclamation of Local Emergency made by the Director of Emergency Services on October 26, 2003.

Fiscal Impact

This recommended action has no fiscal impact.

Business Impact Statement

N/A

Advisory Board Statement

N/A

BACKGROUND:

Commencing October 26, 2003 multiple wild fires burned out of control across the County of San Diego. As of this writing there are four major fires still burning out of control: Roblar (Camp Pendleton) approximately 5,000 acres, Cedar (Ramona), approximately 115,000 acres, Paradise (Valley Center) approximately 15,000 acres, and Dulzra/Mine (Otay Mountain) approximately 35,000 acres. These fires collectively have been named "San Diego Firestorm 2003". Multiple lives have been lost; eleven known deaths and a number of others are being investigated. The estimated number of structures burned is approaching 500. Whole communities have been evacuated, resulting in thousands of people being cared for in numerous shelters around San Diego County.

SUBJECT: Ratify Proclamation of Local Emergency

On October 26, 2003, the Director of Emergency Services issued a Proclamation of Local Emergency as a result multiple wildfires in San Diego County. Included in the County's Proclamation of a Local Emergency is a request for Governor's Proclamation as well as a request for a Presidential Declaration that an emergency exists in San Diego County.

Under San Diego County Ordinance 8183, the Director of Emergency Services is empowered to proclaim a local emergency when the Board of Supervisors is not in session. San Diego Firestorm 2003, warranted a proclamation of local emergency by the Director of Emergency Services on October 26, 2003. A copy of the proclamation was forwarded to the Governor's office. However, state law requires that the governing board ratify the proclamation within seven days.

The Board's ratification of the Proclamation of Local Emergency will:

- Give public employees, the County, Cities, and Special Districts legal immunities for emergency actions taken.
- May enable the County and other local governments to request State and Federal assistance under the State and federal Disaster Assistance Acts when State and federal Proclamations are issued.
- Allow the Chief Administrative Officer (or other authorized official) to take any preventive measures necessary to protect and preserve public health and safety.
- Allow for certain disaster assistance programs to be made available to the public, when State and Federal Proclamations are issued.

Respectfully,

A handwritten signature in black ink, appearing to read "Walter Ekard". The signature is fluid and cursive, with the first name "Walter" and last name "Ekard" clearly distinguishable.

WALTER F. EKARD
Chief Administrative Officer

SUBJECT: Ratify Proclamation of Local Emergency

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AGENDA ITEM INFORMATION SHEET

CONCURRENCE(S)

COUNTY COUNSEL REVIEW

Written Disclosure per County Charter
Section 1000.1 Required

☒ [X] Yes
☐ Yes

☒ No

GROUP/AGENCY FINANCE DIRECTOR

☐ Yes

☒ N/A

CHIEF FINANCIAL OFFICER

Requires Four Votes

☐ Yes

☒ N/A

☐ Yes

☒ No

**GROUP/AGENCY INFORMATION
TECHNOLOGY DIRECTOR**

☐ Yes

☒ N/A

COUNTY TECHNOLOGY OFFICE

☐ Yes

☒ N/A

DEPARTMENT OF HUMAN RESOURCES

☐ Yes

☒ N/A

Other Concurrence(s): N/A

ORIGINATING DEPARTMENT: Office of Emergency Services

CONTACT PERSON(S):

Harold Tuck, DCAO Public Safety

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Debbie Stephen, Director OES

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Deborah.Steffen@sdcounty.ca.gov

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AUTHORIZED REPRESENTATIVE:

Walter E. Gaud

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UNIFIED SAN DIEGO COUNTY EMERGENCY SERVICES OPERATIONAL AREA**PROCLAMATION OF LOCAL EMERGENCY**

(By Director of Emergency Services)

WHEREAS, Ordinance No. 8183 of the County of San Diego empowers the Director of Emergency Services to proclaim the existence or threatened existence of a Local Emergency when said county is affected, or likely to be affected, by a public calamity and the Board of Supervisors is not in session; and

WHEREAS, the Director of Emergency Services of the County of San Diego does hereby find that conditions of extreme peril to the safety of persons and property have arisen within said county, caused by the Roblar II, Cedar, Dulzura and Paradise Wildland fires commencing on or about 12:01 p.m. on the 21st day of October, 2003; and

WHEREAS, the Board of Supervisors of the County of San Diego is not in session and cannot immediately be called into session; and

WHEREAS, this Proclamation of Local Emergency will be ratified by the Board of Supervisors within seven days of being issued.

NOW, THEREFORE, IT IS HEREBY PROCLAIMED by the Director of Emergency Services for the County San Diego, that a Local Emergency exists throughout said county and that said Local Emergency shall be deemed to continue to exist until its termination is proclaimed by the Board of Supervisors.

IT IS FURTHER PROCLAIMED AND ORDERED that during the existence of said Local Emergency the powers, functions, and duties of the Director of Emergency Services and the emergency organization of this county/city shall be those prescribed by state law, charter, ordinances, and resolutions of this jurisdiction and by the Operational Area Emergency Plan as approved by the Board of Supervisors.

IT IS FURTHER PROCLAIMED AND ORDERED that the Director of Emergency Services and the Director of the Office of Emergency Services are hereby designated as the authorized representatives of the County of San Diego for the purpose of receipt, processing, and coordination of all inquiries and requirements necessary to obtain available state and federal assistance as available.

IT IS FURTHER ORDERED that a copy of this proclamation be forwarded to the Governor of California with the request that he proclaim San Diego County to be in a State of Emergency; and further that the Governor request a Presidential Declaration.

PASSED AND ADOPTED by the Director of Emergency Services for the County of San Diego, State of California, this 26th day of October, 2003.

11:20 AM
Date/Time: 10-26-03 / ~~9:00 AM~~

By: 
Director of Emergency Services

Revised

**COUNTY OF SAN DIEGO
BOARD OF SUPERVISORS
TUESDAY, OCTOBER 28, 2003**

MINUTE ORDER NO. 1

**SUBJECT: OFF-AGENDA ITEM:
RATIFY PROCLAMATION OF LOCAL EMERGENCY CAUSED
BY "SAN DIEGO FIRESTORM 2003" (DISTRICT: ALL)**

OVERVIEW:

On October 26, 2003, the Director of Emergency Services issued a Proclamation of Local Emergency as a result of multiple wildfires in San Diego County. San Diego County Ordinance No. 8186 and State Law require that the Board of Supervisors ratify Proclamations of Local Emergency within seven days of being issued.

RECOMMENDATION(S):

CHAIRMAN COX:

Find this item conforms to provisions of the California Government Code Section 54954.2(b), authorizing a legislative body to take action on an item not appearing on the posted agenda. (4/5 vote)

1.1

ACTION:

ON MOTION of Supervisor Roberts, seconded by Supervisor Slater, the Board of Supervisors found that the need to take action arose subsequent to the Agenda being posted, and placed the item on the agenda.

AYES: Cox, Jacob, Slater, Roberts, Horn

RECOMMENDATION(S):

CHIEF ADMINISTRATIVE OFFICER:

Ratify the Proclamation of Local Emergency made by the Director of Emergency Services on October 26, 2003.

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ACTION:

ON MOTION of Supervisor Roberts, seconded by Supervisor Slater, the Board of Supervisors took action as recommended.

AYES: Cox, Jacob, Slater, Roberts, Horn

State of California)
County of San Diego)SS

I hereby certify that the foregoing is a full, true and correct copy of the Original entered in the Minutes of the Board of Supervisors.

THOMAS J. PASTUSZKA
Clerk of the Board of Supervisors

By Adair Gomez
Adair Gomez, Deputy

